IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Crl.Rev.Pet.No. 3875 of 2007()

CRA.152/2006 of SESSIONS COURT, KOLLAM
ST.647/2004 of JUDL.MAGISTRATE OF FIRST CLASS-III, PUNALUR

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

S. NISSAM, S/O. SULAIMAN KUNJU,
NEDUMANNOOR THEKKETHIL, KUKNNICODE P.O.,
PATHANAPURAM TALUK, KOLLAM DISTRICT.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

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1. M.P. REGHU,
SECRETARY, VILAKKUDY GRAMA PANCHAYAT,
KUNNICODE, KOLLAM DISTRICT.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 3875 of 2007

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Dated: 31-10-2007

ORDER

The revision petitioner stands concurrently convicted for an offnece punishable under Section 210 of the Kerala Panchayat Raj Act, 1994 for committing default in paying the instalments of the bid amount in respect of a meat stall in Kunnicodu public market for the year 2002-2003 during which the petitioner was the successful bidder. As per the sentence imposed by the courts below the petitioner who was found guilty of the offence was directed to pay the defaulted amount of Rs. 64,840/- as fine which in turn was directed to be paid as compensation to the Secretary Vilakudi Grama Panchayat under Sec. 357 (i)(b) Cr.P.C. The conviction entered and the sentence has been passed by the courts below is after evaluating the oral and documentary evidence in the case and they do not warrant any interference by this Court sitting in revision.

2. The learned counsel appearing for the petitioner made a fervent request that he may be given the benefit of five equal monthly instalments to discharge the liability under the impugned order . The learned counsel appearing for the Grama Panchayat also

fairly conceded that the revision petitioner could be extended the benefit of instalment. Accordingly, as against the fine of Rs. 64,840/- the same is enhanced Rs. 65,000/- (Rupees sixty five thousand only) which shall be discharged in five equal monthly instalments of Rs. 13,000/- (Rupees thirteen thousand only) . The first instalment shall be paid on or before 29-11-2007. The subsequent instalments shall fall due on the 29th of the succeeding months.

This Revision is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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